



STATE OF TEXAS

July 29, 2010

Dear Texas Congressional Delegation:

We write to express our strong disagreement with provisions in pending legislation that threaten the rights of states to regulate oil and gas exploration and production on state lands and waters. We call on you to reject any proposal that interferes with state regulation of oil and gas safety, exploration and production on non-federal land and waters.

The Deepwater Horizon disaster and the subsequent impacts on the Gulf Coast states occurred on the federal government's watch. The Macondo well is located in a federal offshore lease area. The federal Minerals Management Service and the U.S. Department of the Interior failed to properly evaluate, oversee and regulate drilling in federal waters. It is the federal government that is managing the containment and cleanup effort. It is agencies of the federal government that are engaged in unjustified efforts to impose indiscriminate and illegal drilling moratoria, adding economic insult to injury.

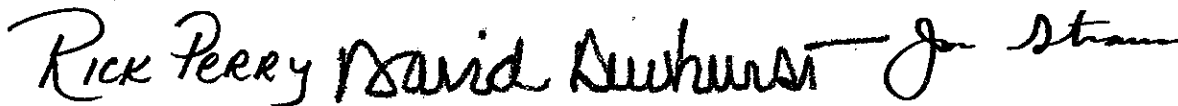
In light of these federal failures, it is incomprehensible that the United States Congress is entertaining proposals that expand federal authority over oil and gas drilling in state waters and lands long regulated by states. Several bills and amendments to be considered this week, for the first time in the history of our nation, attack successful state laws and agencies regulating oil and gas exploration and production on state or private lands and waters. Furthermore, some of these proposals grant unilateral discretion to an unelected federal bureaucrat as to whether or not to allow states to continue regulatory systems established by duly elected state officials, and even create the possibility that such authority would be given to an official recently found by the federal courts to have engaged in arbitrary and capricious decision-making on this very topic.

While Congress has every right to consider whatever regulation it deems appropriate on activities in federal lands and waters, it is not permitted to force states to submit their successful state regulations and laws to a federal agency for approval and allow that agency to unilaterally dictate changes. As you well know, the 10th Amendment to the United States Constitution states, "powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." Laws like the one you are considering are unfounded and dangerously destructive of state sovereignty.

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We request that Congress respect our state safety and energy laws. Federal laws and regulations failed to stop the Deepwater Horizon disaster. Given the track record, putting the federal government in charge of energy production on state lands and waters not only breaks years of successful precedent and threatens the 10th Amendment to the United States Constitution, but it also undermines common sense and threatens the environmental and economic security of our state's citizens.

Sincerely,



Rick Perry
Governor

David Dewhurst
Lieutenant Governor

Joe Straus
Speaker of the House



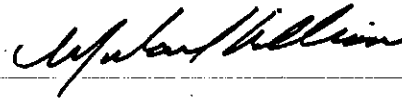
Greg Abbott
Attorney General

Jerry Patterson
Land Commissioner

Victor G. Carrillo
Chair, Railroad Commission of Texas



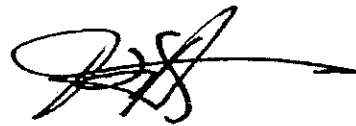
Elizabeth Ames Jones
Commissioner, Railroad Commission of Texas



Michael L. Williams
Commissioner, Railroad Commission of Texas



Troy Fraser
Chair, Senate Committee on Natural Resources



James L. "Jim" Keffer
Chair, House Committee on Energy Resources